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TRUDI G. MANFREDO, Bar No. 166474
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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

In the Matter of)	Case No. 16-11248-A-7
)	
)	Chapter 7
JESS RONALD ORTEZ, III,)	DC#: TMT-1
)	
Debtor(s).)	Date: March 22, 2017
)	Time: 9:00 a.m.
)	Dept.: A, Crtm. 11, Fresno
)	Honorable Fredrick E. Clement

TRUSTEE'S MOTION TO SELL PERSONAL PROPERTY

Trudi G. Manfredo, Chapter 7 Trustee ("Trustee") of the above-referenced bankruptcy estate of JESS RONALD ORTEZ, III ("Debtor"), brings this Motion to Sell Personal Property and respectfully represents as follows:

1. Trustee is the duly appointed, qualified and acting Trustee of the above-referenced bankruptcy estate.

2. Debtor filed under Chapter 7 of the Bankruptcy Code on April 14, 2016, and an order for relief was entered.

3. This Court has jurisdiction over this proceeding under 28 U.S.C. §1334(a). This is a core proceeding under 28 U.S.C. §157(b)(2)(A). This motion is brought pursuant to 11 U.S.C. §363.

Venue is proper in this Court pursuant to 28 U.S.C. § 1409(a) by virtue of the pendency of this case before the Court.

4. Among the assets of this bankruptcy estate are:

Asset Description	Trustee's Value	Offer	Liens	Exemptions	Net Value to Estate
Ruger .38 Caliber	\$300.00	\$300.00	\$0.00	\$0.00	\$300.00
40 Caliber Springfield Armory	\$300.00	\$300.00	\$0.00	\$0.00	\$300.00
9 MM Springfield Armory	\$300.00	\$300.00	\$0.00	\$0.00	\$300.00
12 Gauge Benelli	\$100.00	\$100.00	\$0.00	\$0.00	\$100.00
20 Gauge Shotgun Mossberg	\$100.00	\$100.00	\$0.00	\$0.00	\$100.00
Windham Weaponry AR 15	\$1,100.00	\$1,100.00	\$0.00	\$0.00	\$1,100.00
Storage Unit consisting of: 50cc Yamaha dirt bike (not running); 80cc Suzuki Quad; kitchen table and chairs; and computer equipment	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00
TOTAL					\$3,200.00

5. As set forth above, Trustee has received and accepted an offer, subject to higher and better bid at the hearing, from the Debtor to purchase the Ruger .38 Caliber for \$300.00, the 40 Caliber Springfield Armory for \$300.00, the 9 MM Springfield Armory for \$300.00, the 12 Gauge Benelli for \$100.00, the 20 Gauge Shotgun Mossberg for \$100.00, the Windham Weaponry AR 15 for \$1,100.00, and the storage unit consisting of: 50 cc Yamaha dirt bike (not running); 80cc Suzuki Quad; kitchen table and chairs; and computer equipment for \$1,000.00. The net to the estate for these sales is \$3,200.00.

1 Trustee is currently holding these funds.

2 6. In deciding to accept the offer, Trustee took into
3 consideration the fair market value of the personal property, less
4 the costs associated with storing and selling the personal property
5 at auction.

6 7. The price to be received at auction is never certain and
7 the delay involved in auctioning these assets is not warranted.

8 8. Based on her business judgment, Trustee believes that an
9 immediate sale of the Personal Property to the debtors is in the best
10 interest of the creditors of this estate and all parties in interest.

11 9. There will be no adverse tax consequences to the estate as
12 a result of the sale.

13 10. This sale is subject to higher and better bid at the
14 hearing noted above.

15 11. Any prospective bidders for the Ruger .38 Caliber must
16 bring certified funds to the hearing in the amount of \$300.00.

17 12. Any prospective bidders for the 40 Caliber Springfield
18 Armory must bring certified funds to the hearing in the amount of
19 \$300.00.

20 13. Any prospective bidders for the 9 MM Springfield Armory
21 must bring certified funds to the hearing in the amount of \$300.00.

22 14. Any prospective bidders for the 12 Gauge Benelli must bring
23 certified funds to the hearing in the amount of \$100.00.

24 15. Any prospective bidders for the 20 Gauge Shotgun Mossberg
25 must bring certified funds to the hearing in the amount of \$100.00.

26 16. Any prospective bidders for the Windham Weaponry AR 15 must
27 bring certified funds to the hearing in the amount of \$1,100.00.

28 17. Any prospective bidders for the storage unit must bring

1 certified funds to the hearing in the amount of \$1,000.00.

2 18. The certified check must be made out to Trudi G. Manfredo,
3 Chapter 7 Trustee, and is non-refundable if that bidder is the
4 successful bidder and fails to perform. Prospective bidders must
5 also bring documentary evidence of the ability to pay the amount of
6 their bid.

7 19. Trustee requests that the provisions of Bankruptcy Rule
8 6004(h) be waived.

9 WHEREFORE, Trustee prays

10 1. That the Motion be granted;

11 2. That the Court issue an order authorizing the sale of the
12 Bankruptcy Estate's interest in the following personal property back
13 to the Debtor: the Ruger .38 Caliber for a net to the estate of
14 \$300.00, the 40 Caliber Springfield Armory for a net to the estate of
15 \$300.00, the 9 MM Springfield Armory for a net to the estate of
16 \$300.00, the 12 Gauge Benelli for a net to the estate of \$100.00, the
17 20 Gauge Shotgun Mossberg for a net to the estate of \$100.00, the
18 Windham Weaponry AR 15 for a net to the estate of \$1,100.00, and the
19 storage unit consisting of: 50 cc Yamaha dirt bike (not running);
20 80cc Suzuki Quad; kitchen table and chairs; and computer equipment
21 for a net to the estate of \$1,000.00;

22 3. That the provisions of Bankruptcy Rule 6004(h) be waived;
23 and

24 4. For such other and further relief as the Court deems just
25 and proper.

26 DATED: 2-3-17

27 By /s/ Trudi G. Manfredo
28 TRUDI G. MANFREDO,
Chapter 7 Trustee